

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

MULTIVEN, INC., a Delaware corporation

Plaintiff,

v.

CISCO SYSTEMS, INC., a California  
corporation

Defendant.

CISCO SYSTEMS, INC., a California  
corporation, and CISCO TECHNOLOGY,  
INC., a California corporation

Counterclaimants,

v.

MULTIVEN, INC., a Delaware corporation,  
PINGSTA, INC., a Delaware corporation, and  
PETER ALFRED-ADEKEYE, an individual

Counterdefendants.

**Case No. 5:08-cv-05391 JW (HRL)**

**STIPULATION OF VOLUNTARY  
DISMISSAL WITH PREJUDICE OF  
CLAIMS AGAINST CISCO AND  
[PROPOSED] ORDER**

**[Fed. R. Civ. P. 41(a)(1)(A)(ii) and  
Fed. R. Civ. P. 41(c)]**

1 WHEREAS Plaintiff Multiven, Inc. wishes to dismiss its claims against Defendant Cisco  
2 Systems, Inc. with prejudice;

3 WHEREAS, Plaintiff Multiven, Inc. has expressly authorized Defendant Cisco Systems, Inc.  
4 to file this stipulation of voluntary dismissal of claims against Cisco within twenty (20) days of the  
5 execution of the parties' settlement agreement;

6 WHEREAS, fewer than twenty (20) days have passed since the parties executed their  
7 settlement agreement.

8 NOW THEREFORE, it is hereby stipulated by the undersigned counsel on behalf of the  
9 parties identified below that:

10 1. Plaintiff Multiven, Inc. dismisses all of its claims in the above-captioned action  
11 against Defendant Cisco Systems, Inc. with prejudice pursuant to Federal Rule of Civil Procedure  
12 41(a)(1)(A)(ii) and the terms of the parties' settlement agreement attached as Exhibit A to the  
13 proposed order filed concurrently herewith.

14 2. The parties hereby request that the Court continue to retain jurisdiction over this  
15 matter for the purpose of enforcing the terms of the settlement agreement, including the retention of  
16 the power to enjoin any action brought in violation of the settlement agreement.

17 3. The parties will pay their own fees and costs.  
18

19 Dated: July 22, 2010

Respectfully submitted,

20 BLECHER & COLLINS, P.C.  
21 515 South Figueroa Street, Suite 1750  
22 Los Angeles, CA 90071

23 By /s/ Donald R. Pepperman  
24 DONALD R. PEPPERMAN  
25 Attorneys for Plaintiff  
26 MULTIVEN, INC.  
27  
28

1 Dated: \_ July 22, 2010

Respectfully submitted,

2 CADWALADER, WICKERSHAM & TAFT LLP  
3 700 Sixth Street, N.W.  
4 Washington, DC 20001

5 By /s/ Joseph J. Bial  
6 JOSEPH J. BIAL  
7 Attorneys for Plaintiff  
MULTIVEN, INC.

8 Dated: July 22, 2010

Respectfully submitted,

9 WINSTON & STRAWN LLP  
10 101 California Street  
11 San Francisco, CA 94111-5802

12 By /s/ Patrick M. Ryan  
13 PATRICK M. RYAN  
14 Attorneys for Defendant and Counterclaimant  
CISCO SYSTEMS, INC. and Counterclaimant  
CISCO TECHNOLOGY, INC.

15 I, Patrick M. Ryan, hereby attest, pursuant to N.D. Cal. General Order No. 45, that the  
16 concurrence to the filing of this document has been obtained from each signatory hereto as so stated  
17 in the Stipulation and Mutual Release executed in this action.

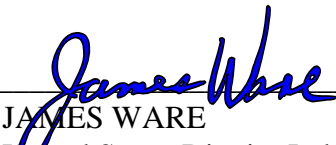
18  
19 /s/ Patrick M. Ryan  
20 PATRICK M. RYAN  
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1 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED:

2 1. Plaintiff Multiven, Inc.'s claims against Defendant Cisco Systems, Inc. are  
3 DISMISSED WITH PREJUDICE.

4 2. Each party shall bear their own fees and costs.

5  
6 Dated: July 26, 2010

  
JAMES WARE  
United States District Judge